

Org Act Section
Section 13 -
Powers and Duties of the
Chief Executive

Recommended Amendment

Rationale/Questions

Amend Section (a): The chief executive, subject to the approval of the commission, shall establish rules to regulate purchasing for all county departments, offices, and agencies of the county government, with the exception of the tax commissioner, clerk of the superior court, district attorney, and sheriff.

Oversight - issues have developed between CEO and BOC on implementing purchasing policy. Update from County Attorney how process to hold referendum of General Assembly purchasing policy

Amend Section 13(b): Except for contracts of employment the commission shall authorize all contracts involving the expenditure of county funds in excess of one hundred thousand dollars (\$100,000.00). **The chief executive shall be authorized to provide employment contracts for all department directors under the chief executives supervision authority effective with vacancies occurring after the effective date of this Act. Within the budgetary limitations, the chief executive shall fix the compensation of department heads.**

Supports CEO authority to put department heads under contract to ensure the hiring of the best qualified candidate, and without the restrictions imposed by the Merit System.

No BOC approval needed.

(c) No more than one (1) contract involving the expenditure of county funds during a fiscal year may be made with any vendor without approval of the commission.

Oversight - Are reports generated for this purpose and provided to BOC? Frequency?

Amend Section 13(c)(1): Subject to confirmation by the commission, the chief executive shall appoint the executive assistant and the county attorney. The executive assistant shall be subject to the requirements of section 14 of this act. **The county attorney shall be subject to the requirements of section ? (add a section).** No member of the commission or the commission itself shall be authorized to nominate persons for the **department director, including the planning director. Within the budgetary limitations, the chief executive shall fix the compensation of the executive assistant, the county attorney, and**

The chief executive should have authority to ensure that county leadership meets the highest standards for accountability effective service delivery to DeKalb County stakeholders.

See section 14 Amendment: Term/renewal

Amend Section 13(c)(2): Subject to confirmation by the commission, the chief executive shall appoint **the finance director**. No member of the commission or the commission itself shall be authorized to nominate persons for any such position. **Delete: All three (3) of said officers shall be under the DeKalb County Merit System and, subject to the regulations of said merit system and budgetary limitations, the chief executive shall have the authority to fix the compensation of said officials.**

Delete the appointment of planning and merit system directors to a contract status, and remove from being subjected to the merit system regulations.

Remove these two positions from the merit system.

Amend 13(g): The chief executive and the commission shall have power to investigate the affairs, records and expenditures of the various authorities, boards, councils, commissions, committees, and similar bodies or agencies, whether created by ordinance of the commission or by acts of the General Assembly, relating to the affairs of the county and to report thereon to the commission.

If a board or agency is created by commission via ordinance. Should commission not have some level of oversight as well?

Amend 13(i): The chief executive shall cause a summary of said annual report to be published in the official organ of DeKalb County **and to the county's website.**

Should publish report on medium to allow greatest citizen access.

Copy of BOC rules book would be helpful in understanding referenced BOC requirements.

Section 13A - Appointment to Public Office

a(1) Whenever any other law of this state authorizes or requires a county governing authority, including any such law which refers to a local governing body with the intention of including a county governing authority, to appoint or elect a person to fill a post or vacancy in any public office or as a member of any public authority, board, commission, or other body or agency, such post or vacancy shall be filled as follows:

Request clarity from County Attorney: When referring to the governing authority, does this mean both the legislative or administrative branch combined? Or, can each branch independently act as governing authority?

Amend Section 13A: (a)(1)(A): Within 60 days of receiving notification of a expired term, the chief executive shall nominate a person by sending a written notice to the commission. **Within 10 days of receiving notification of a vacancy, chief executive shall nominate a person by sending a written notice to the commission, the appointment term, list of other county boards/agencies on the which the candidate serves at the time of nomination,** and the name of the person nominated by the chief executive.

DeKalb County has a population of over 700K. The county should establish an open application process to encourage a broader range of appointed candidates and ideas.

Timely appointments of persons to fill a post or vacancy in any public office or as a member of any public authority, board, commission, or other body or agency helps ensure the work of these boards, commissions, or other body or agency can conduct its business my maintaining a quorum.

The House and Senate Delegations' application process for the Board of Ethics could be used a model.

Section 14 - Executive Assistant; Administrators

The chief executive shall submit to the board not later than December 15 of each year a proposed budget governing the expenditures of all county funds, including capital outlay and public works projects for the following calendar year.

Increase responsibilities of the Executive Assistant

A copy of the final budget adopted shall be transmitted by the chief executive to the grand jury of DeKalb County Superior Court then in session within ten (10) days of its adoption.

What is the reason that there are currently no administrators to the COO/executive assistants?

Amend to specify how the executive assistants roles are defined and experience.

Section 15 - Veto Power of the Chief Executive

Section 16 - Comprehensive Planning Plan

No changes

Section 17 - Budgeting; Control of

Amend 1 7 (c) No more than one (1) contract involving the expenditure of county funds during a fiscal year may be made with any vendor without approval of the commission. **This shall include contracts with a value of \$50,000 under the administrations control. Such contracts shall not have an accumulative value exceeding of less than \$100,000.**

Amend 17 (e) Except for contracts of employment, all contracts for purchase shall be published on the county website within thirty (30) days of approval of such contracts. **This shall include contracts under \$100,000 authorized for the administration they do not meet the BOC approval threshold.**

Section 18 - Purchasing; Contracting

No change except

What are the contract spending levels of authority? (e.g. Department Heads, managers)

**Section 19 - Department of
Finance** No change.

**Section 20 - Records;
Minutes** No change